[CZ] TV Broadcasters Punished for Breaking Advertising Rules

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The Broadcasting Council, which monitors broadcasting in the Czech Republic, has imposed fines on several Czech TV broadcasters.

In one case, broadcasters repeatedly showed an advertisement for a brand of sweet, in which a girl threw her doll at a car at a street crossing so that the activated airbags trapped the car's occupants against the back of their seats. The girl then took a sweet from the hand of an astonished woman sitting in the car. A voice then said: "(name of brand) - when you must, you must". In the Broadcasting Council's view, this advertisement was aimed at minors and encouraged behaviour that threatened the health and psychological development of minors. Such advertisements were prohibited under Act No.40 on advertising regulations. The broadcasters concerned argued that the scene was clearly exaggerated and that it was technically impossible to trigger airbags in that way. The Council rejected this argument, stating that the broadcast should be assessed in accordance with how a child would interpret it. A child would not realise that the scene was exaggerated. The implication was that sweets could be obtained through acts of violence.

In another case, the Broadcasting Council fined TV broadcasters for interrupting children's programmes with advertising. These fines were imposed in accordance with the old Broadcasting Act, under which commercial breaks during children's programmes were forbidden. In line with European legislation, the new Act, in force since 4 July 2001 (see IRIS 2001-7: 8), only prohibits such interruptions during children's programmes that are of less than 30 minutes' duration. The broadcasters claimed that these particular programmes were not just aimed at children, but at the whole family. The Broadcasting Council rejected this argument on the grounds that children's programmes were defined as those whose content, form and length were aimed at children.

The Broadcasting Council's decisions are not yet final. The TV broadcasters may appeal.

Broadcasting Council of the Czech Republic, decisions Rpo/85/00, Rpo/86/00 and Rpo/87/00, 8 January 2001

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